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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/837,751      | 04/18/2001  | Allan Green          | 45-00               | 8897             |

23713 7590 04/09/2003

GREENLEE WINNER AND SULLIVAN P C  
5370 MANHATTAN CIRCLE  
SUITE 201  
BOULDER, CO 80303

EXAMINER

MCELWAIN, ELIZABETH F

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

1638

DATE MAILED: 04/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

The amendment filed January 21, 2003 has been entered.

Claims 1-61 have been cancelled.

Claims 62-108 have been newly submitted.

5           The reply filed on January 21, 2003 is not fully responsive to the prior Office Action  
because of the following omission(s) or matter(s): Applicants have elected Group VI, stating  
that there was no requirement to elect a single nucleotide sequence for this group. However,  
this statement is incorrect. The restriction requirement of September 18, 2002 required that a  
single nucleotide sequence also be elected. See page 2, lines 2-12. While the originally filed  
10       claims of Group VI were not drawn to more than one nucleotide sequence, applicants have  
cancelled all of the originally filed claims and submitted new claims, which are now drawn to  
more than one sequence. Therefore, election of a single nucleotide sequence is required, as set  
forth in the restriction requirement. See 37 CFR 1.111. Since the above-mentioned reply  
appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from  
15       the mailing date of this notice, whichever is longer, within which to supply the omission or  
correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY**  
**BE GRANTED UNDER 37 CFR 1.136(a).**

          It is suggested that Applicant begin using the new format for entry of amendments, as  
20       set forth at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm>.

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5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth F. McElwain whose telephone number is (703) 308-1794. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

10 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (703) 306-3218. The fax phone number for this Group is (703) 308-4242. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989).

15 Any inquiry of a general nature or relating to the status of this application should be directed to the CUSTOMER SERVICE TECH CENTER 1600, whose telephone number is (703) 308-0198, or to the Group receptionist whose telephone number is (703) 308-0196.

Elizabeth F. McElwain, Ph.D.  
April 4, 2003

  
**ELIZABETH F. McELWAIN**  
**PRIMARY EXAMINER**  
**GROUP 1600**